



## UNITED STATES PATENT AND TRADEMARK OFFICE

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| APPLICATION NUMBER | FILING OR 371 (e) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/825,179         | 04/16/2004             | Robert F. Redden      | PAT 832-2              |

26123  
BORDEN LADNER GERVAIS LLP  
WORLD EXCHANGE PLAZA  
100 QUEEN STREET SUITE 1100  
OTTAWA, ON K1P 1J9  
CANADA

CONFIRMATION NO. 8259

## FORMALITIES LETTER

10000000013109024  
"OC000000013109024"

Date Mailed: 06/30/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
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08/10/2004 MBELETE1 00000031 501593 10825179

01 FC:1051 130.00 DR

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read 'J. Shaw', is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



BORDEN  
LADNER  
GERVAIS



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### CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that these papers, consisting of 7 pages total, are being facsimile transmitted to the Patent and Trademark Office 703-746-4060 on the date shown below.

DATE: August 6, 2004

*David L. Conn*  
David L. Conn

Registration No.: 50,180

#### TO THE ATTENTION OF:

|                 |   |
|-----------------|---|
| MAIL STOP:      | MAIL STOP MISSING PARTS                   |
| COMPANY:        | United States Patent and Trademark Office |
| CITY:           | Arlington, Virginia, U.S.A.               |
| FAX NUMBER:     | 703-746-4060                              |
| DATE / TIME:    | August 6, 2004                            |
| FROM:           | David L. Conn                             |
| DIRECT DIAL:    | (613) 237-5160                            |
| OUR FAX NUMBER: | (613) 787-3558                            |

RE: United States Patent Appln No. 10/825,179  
Title: PROTEIN TEMPERATURE EVAPORATION-CONTROLLED  
CRYSTALLIZATION DEVICE AND METHOD THEREOF  
Inventor(s): REDDEN, Robert, F.  
Our File: PAT 832-2 US

NUMBER OF PAGES, INCLUDING THIS PAGE: 7  
CONFIRMATION TO FOLLOW: NONE

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F A X / T É L É C

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: REDDEN, Robert, F.  
Serial No.: 10/825,179  
Filed: April 16, 2004  
Title: PROTEIN TEMPERATURE EVAPORATION-CONTROLLED  
CRYSTALLIZATION DEVICE AND METHOD THEREOF  
Group: 1765  
Examiner:  
Attorney Ref.: PAT 832-2 US

August 6, 2004

Commissioner for Patents  
U.S. Patent and Trademark Office  
220 20th Street S.  
Mail Stop Missing Parts  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington VA 22202  
U.S.A.

Dear Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

In response to the Notice to File Missing Parts dated June 30, 2004 for which a response is due by **August 30, 2004**, please find attached the Declaration and Power of Attorney appointing the practitioners at Customer No. 26123 as Applicants' Representatives in the above application, as required to complete the filing requirements. A copy of the Notice to File Missing Parts is enclosed.

**The Commissioner is hereby authorized to debit \$130.00 from Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.**

The Commissioner is hereby authorized to charge any additional fees, and credit any over payments to Deposit Account No. 501593, in the name of Borden Ladner Gervais LLP.

We await confirmation of receipt of the enclosed document in due course.

By: 

David L. Conn  
Reg. No. 50,180  
Borden Ladner Gervais LLP  
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Tel: (613) 237-5160  
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E-mail: ipinfo@blgcanada.com

DLC/AAB/aab

Ends.

1. Fee Transmittal
2. Declaration and Power of Attorney
3. Copy of Notice

AUG 06 2004

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

**Complete if Known**

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/825,179       |
| Filing Date          | April 16, 2004   |
| First Named Inventor | Robert F. REDDEN |
| Examiner Name        |                  |
| Art Unit             | 1765             |
| Attorney Docket No.  | PAT 832-2        |

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None
☒ Deposit Account:Deposit  
Account  
Number  
Deposit  
Account  
Name

501593

Borden Ladner Gervais LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description        | Fee Paid |
|-------------------------------|-------------------------------|------------------------|----------|
| 1001 770                      | 2001 365                      | Utility filing fee     |          |
| 1002 340                      | 2002 170                      | Design filing fee      |          |
| 1003 530                      | 2003 265                      | Plant filing fee       |          |
| 1004 770                      | 2004 365                      | Reissue filing fee     |          |
| 1005 160                      | 2005 80                       | Provisional filing fee |          |

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims       | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Independent        | -20** =      | X              |          |
| Multiple Dependent | -3** =       | X              |          |

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description  | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1202 18                       | 2202 9                        | Claims in excess of 20                                     |          |
| 1201 86                       | 2201 43                       | Independent claims in excess of 3                          |          |
| 1203 290                      | 2203 145                      | Multiple dependent claim, if not paid                      |          |
| 1204 86                       | 2204 43                       | ** Reissue independent claims over original patent         |          |
| 1205 18                       | 2205 9                        | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity<br>Fee Code (\$) | Small Entity<br>Fee Code (\$) | Fee Description  | Fee Paid |
|-------------------------------|-------------------------------|--|----------|
| 1051 130                      | 2051 65                       | Surcharge - late filing fee or oath  | 130.00   |
| 1052 50                       | 2052 25                       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 1053 130                      | 1053 130                      | Non-English specification  |          |
| 1812 2,520                    | 1812 2,520                    | For filing a request for ex parte reexamination                            |          |
| 1804 920*                     | 1804 920*                     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805 1,840*                   | 1805 1,840*                   | Requesting publication of SIR after Examiner action                        |          |
| 1251 110                      | 2251 55                       | Extension for reply within first month                                     |          |
| 1252 420                      | 2252 210                      | Extension for reply within second month                                    |          |
| 1253 950                      | 2253 475                      | Extension for reply within third month                                     |          |
| 1254 1,480                    | 2254 740                      | Extension for reply within fourth month                                    |          |
| 1255 2,010                    | 2255 1,005                    | Extension for reply within fifth month                                     |          |
| 1401 330                      | 2401 185                      | Notice of Appeal   |          |
| 1402 330                      | 2402 165                      | Filing a brief in support of an appeal                                     |          |
| 1403 290                      | 2403 145                      | Request for oral hearing   |          |
| 1451 1,510                    | 1451 1,510                    | Petition to institute a public use proceeding                              |          |
| 1452 110                      | 2452 55                       | Petition to revive - unavoidable   |          |
| 1453 1,330                    | 2453 665                      | Petition to revive - unintentional   |          |
| 1501 1,330                    | 2501 665                      | Utility issue fee (or reissue)   |          |
| 1502 480                      | 2502 240                      | Design issue fee   |          |
| 1503 640                      | 2503 320                      | Plant issue fee  |          |
| 1460 130                      | 1460 130                      | Petitions to the Commissioner  |          |
| 1807 50                       | 1807 50                       | Processing fee under 37 CFR 1.17(q)  |          |
| 1806 180                      | 1806 180                      | Submission of Information Disclosure Sheet                                 |          |
| 8021 40                       | 8021 40                       | Recording each patent assignment per property (times number of properties) |          |
| 1809 770                      | 2809 385                      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 1810 770                      | 2810 385                      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 1801 770                      | 2801 385                      | Request for Continued Examination (RCE)                                    |          |
| 1802 900                      | 1802 900                      | Request for expedited examination of a design application                  |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130.00)

**SUBMITTED BY**

|                   |                      |                                   |                |           |              |
|-------------------|----------------------|-----------------------------------|----------------|-----------|--------------|
| Name (Print/Type) | David L. Conn        | Registration No. (Attorney/Agent) | 50,180         | Telephone | 613-237-5160 |
| Signature         | <i>David L. Conn</i> | Date                              | August 6, 2004 |           |              |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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